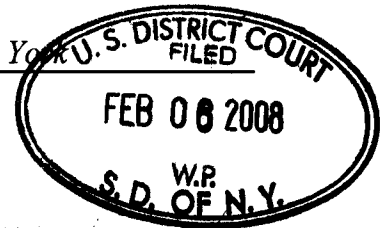




U.S. Department of Justice

United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007



January 24, 2008

**MEMO EXHIBIT**

BY HAND

Honorable Charles L. Briant  
United States District Judge  
United States Courthouse  
300 Quarropas Street  
White Plains, NY 10601

Application granted. Conference now scheduled for  
February 14, 2008  
Time is excluded under the Speedy Trial Act through  
February 14, 2008  
SO ORDERED Charles L. Briant U.S.D.J.  
Dated: 2-4-08

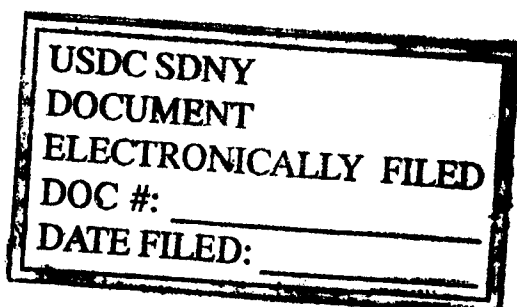
**Re: United States v. Elia and Elyaho,**  
07 Cr. 543 (CLB)

Dear Judge Briant:

This is to request a one week extension of time to respond to the defendants' motions in the above case. Counsel for both defendants have consented to this request.

Under the current schedule, the Government's response is due today, reply briefs are due on January 31, 2008 and the motions are scheduled to be heard on February 5, 2008. Accordingly, we respectfully request that the schedule be amended to require the Government's response by January 31, 2008, reply briefs by February 7, 2008 and that the motions be heard at a date convenient to the Court, after February 7, 2008.

As the Court is aware, although motions are pending, the defendants' attorneys are still reviewing, accumulating and analyzing documents which were produced in discovery and from other sources and the Government is actively working on compiling an exhibit list. Accordingly, the parties respectfully request



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that time be excluded in the interests of justice until the new hearing date, as motions are not fully submitted and because the defendants' attorneys are actively analyzing discovery materials.

Respectfully,

MICHAEL J. GARCIA  
United States Attorney

by:   
Cynthia K. Dunne  
Assistant United States Attorney  
(914) 993-1913

cc: Jared Scharf, Esq. (By Fax)  
Joseph C. Vita, Esq. (By Fax)